

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USCA Docket Number:

USDC Docket Number : 04-cv-12192

Jon Figliolini

v.

United States of America

CLERK'S CERTIFICATE

I, Tony Anastas, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents as indicated on the certified copy of the docket and contained in Volume(s) I are the original pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 11/29/04.

In testimony whereof, I hereunto set my hand and affix the seal of this Court on December 29, 2004.

Tony Anastas, Clerk of Court

By: 

Jeanette Ramos, Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 12-29-04.


Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:04-cv-12192-GAO**

Figliolini v. United States of America
Assigned to: Judge George A. O'Toole Jr.
Cause: 28:2255 Motion to Vacate / Correct
Illegal Sentenc

Date Filed: 10/19/2004
Jury Demand: None
Nature of Suit: 510 Prisoner:
Vacate Sentence
Jurisdiction: U.S. Government
Defendant

Petitioner

Jon Figliolini

represented by **Jon Figliolini**
#02372-049
F.C.I. Otisville
P.O. Box 1000
Otisville, NY 10963
PRO SE

V.

Respondent

United States of America

represented by **Patrick M. Hamilton**
United States Attorney's
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Courthouse
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*LEAD ATTORNEY**ATTORNEY TO BE**NOTICED*

Date Filed	#	Docket Text
10/19/2004	<u>1</u>	MOTION to Vacate, Set Aside or Correct Sentence (2255) , filed by Jon Figliolini. Originally filed on 7/23/04 in criminal case #99-cr-10172(9) entry# 1007(Edge, Eugenia) (Entered: 10/19/2004)
10/19/2004	<u>2</u>	Memorandum in Support re <u>1</u> Motion to Vacate/Set Aside/Correct Sentence (2255). Originally filed on 7/23/04 in criminal case 99-cr-10172(9) entry# 1008. (Edge, Eugenia) (Entered: 10/19/2004)
10/19/2004	<u>3</u>	Letter (non-motion) from Jon Figliolini re: status of 2255 motion to vacate. (Edge, Eugenia) (Entered: 10/19/2004)
10/19/2004	<u>4</u>	Letter (non-motion) from Jon Figliolini re: originally filed on 9-7-2004. (Edge, Eugenia) (Entered: 10/19/2004)
10/19/2004	<u>5</u>	Letter(non-motion) from Jon Figliolini re: status of 2255 motion to vacate. (Edge, Eugenia) (Entered: 10/19/2004)
10/27/2004	<u>6</u>	Judge George A. O'Toole Jr.: ORDER entered ORDER on Motion to Vacate, Set Aside or Correct Sentence (2255)(Lyness, Paul) (Entered: 10/27/2004)

11/02/2004	<u>7</u>	Opposition by United States of America to <u>1</u> Motion to Vacate/Set Aside/Correct Sentence (2255).c/s (Attachments: # <u>1</u> Exhibit one# <u>2</u> Exhibit two)(Edge, Eugenia) (Entered: 11/03/2004)
11/12/2004	•	If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Alexander. (Edge, Eugenia) (Entered: 11/12/2004)
11/12/2004	<u>10</u>	Request (non-motion) from Jon Figlionlini to file a response to the government's opposition to petitioner's motion to vacate, set aside, or correct sentence by a person in federal custody. c/s (Edge, Eugenia) (Entered: 11/15/2004)
11/15/2004	<u>8</u>	Judge George A. O'Toole Jr.: ORDER entered re <u>1</u> Motion to Vacate/Set Aside/Correct Sentence (2255) filed by Jon Figliolini. The petitioner's section 2255 motion to vacate, set aside, or correct his sentence is DENIED. (Copy of Order mailed out to petitioner)(Lyness, Paul) (Entered: 11/15/2004)
11/15/2004	<u>9</u>	Judge George A. O'Toole Jr.: ORDER entered JUDGMENT in favor of Respondent against Petitioner (Copy of judgment mailed out to petitioner)(Lyness, Paul) (Entered: 11/15/2004)
11/15/2004	•	Civil Case Terminated. (Lyness, Paul) (Entered: 11/15/2004)
11/29/2004	<u>11</u>	NOTICE OF APPEAL as to <u>9</u> Judgment by Jon Figliolini. \$ 0. NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at

		http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 12/20/2004. (Edge, Eugenia) (Entered: 12/01/2004)
12/13/2004	<u>12</u>	MOTION for Certificate of Appealability by Jon Figliolini.(Edge, Eugenia) (Entered: 12/14/2004)
12/21/2004	<u>13</u>	Judge George A. O'Toole Jr.: ORDER entered GRANTING CERTIFICATE OF APPEALABILITY re <u>11</u> Notice of Appeal, (Lyness, Paul) (Copy of Order mailed to Petitioner) (Entered: 12/22/2004)